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1ST CIRCUIT COURT
STATE OF HAWAII
FILED

2007 APR -9 PM 2:40

E. ALAGAO
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

IN THE MATTER OF THE
APPLICATION OF THE STATE OF
HAWAII FOR A WRIT OF HABEAS
CORPUS AD PROSEQUENDUM RE
DAT LUONG,

Defendant.

S. P. NO. 07-1-0133
(Cr. No. 01-1-2837)

APPLICATION FOR WRIT OF HABEAS
CORPUS AD PROSEQUENDUM; ORDER
DIRECTING ISSUANCE OF WRIT OF
HABEAS CORPUS AD
PROSEQUENDUM; WRIT OF HABEAS
CORPUS AD PROSEQUENDUM

APPLICATION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO THE HONORABLE DERRICK H. M. CHAN, JUDGE OF THE ABOVE ENTITLED COURT:

Comes now the STATE OF HAWAII, by and through Dawnie Ichimura, Deputy Prosecuting Attorney of the City and County of Honolulu, State of Hawaii, and respectfully alleges as follows:

1. That DAT LUONG has a case in the Circuit Court of the First Circuit, Honolulu, Hawaii, Criminal No. 01-1-2837;
2. That hearing on the Motion to Set Aside Order for Deferred Acceptance of No Contest Plea and Acceptance of Defendant's No Contest Plea for Judgment of Conviction and

EXHIBIT "B"

Sentence in Criminal No. 01-1-2837 is scheduled for May 16, 2007, 8:45 a.m., before the Honorable DERRICK H. M. CHAN, Judge of the Circuit Court of the First Circuit, State of Hawaii;

3. That said Defendant is now imprisoned as a federal prisoner under the custody of the UNITED STATES MARSHAL, District of Hawaii, and is being detained at the Federal Detention Center, Honolulu, Hawaii, and

4. That in order to procure Defendant's presence in the Circuit Court of the First Circuit, it is necessary that a Writ of Habeas Corpus ad Prosequendum be issued, pursuant to Chapter 660, Hawaii Revised Statutes.

WHEREFORE, Applicant prays that the Clerk of this Court be directed to issue a Writ of Habeas Corpus ad Prosequendum commanding the:

UNITED STATES MARSHAL, District of Hawaii, or his/her deputy to make available the body of DAT LUONG to State of Hawaii Officials on May 16, 2007; and

STATE OF HAWAII OFFICIALS, upon taking custody of said Defendant, to:

1. retain custody of the Defendant and he/she shall be confined with the Department of Public Safety, State of Hawaii, during the pendency of these proceedings;

2. bring the said Defendant before the Honorable DERRICK H. M. CHAN, Judge of the Circuit Court of the First Circuit, on May 16, 2007, 8:45 a.m.; and thereafter

3. return the said Defendant to the custody of the UNITED STATES MARSHAL,
District of Hawaii, on a mutually agreed upon date.

Dated at Honolulu, Hawaii: April 4, 2007.

STATE OF HAWAII

By PETER B. CARLISLE
Prosecuting Attorney

By *Dawnie Ichimura*
DAWNIE ICHIMURA
Deputy Prosecuting Attorney
City and County of Honolulu

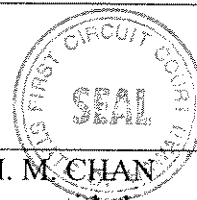
ORDER DIRECTING ISSUANCE OF
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that the Clerk of
this Court be and hereby is instructed to issue the Writ of Habeas Corpus ad Prosequendum prayed
for in the foregoing Application.

Dated at Honolulu, Hawaii: APR 05 2007

DERRICK H.M. CHAN

DERRICK H. M. CHAN
Judge of the above entitled court



WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO: UNITED STATES MARSHAL, District of Hawaii, or His/Her Deputy; and
STATE OF HAWAII OFFICIALS

GREETINGS:

We command that you, UNITED STATES MARSHAL, District of Hawaii, or your Deputy, produce the body of DAT LUONG, who is being detained as a federal prisoner under your custody, to STATE OF HAWAII OFFICIALS on May 16, 2007; and

STATE OF HAWAII OFFICIALS, upon taking custody of said Defendant, to:

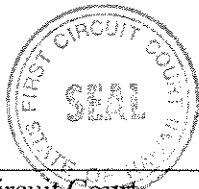
1. retain custody of the Defendant and he/she shall be confined with the Department of Public Safety, State of Hawaii, during the pendency of these proceedings;
2. bring the said Defendant before the Honorable DERRICK H. M. CHAN, Judge of the Circuit Court of the First Circuit, on May 16, 2007, 8:45 a.m.; and thereafter...
3. return the said Defendant to the custody of the UNITED STATES MARSHAL, District of Hawaii, on a mutually agreed upon date.

Upon completion of the above, it shall be deemed sufficient compliance with this writ.

WITNESS the Honorable DERRICK H. M. CHAN, Judge of the Circuit Court of the First Circuit at Honolulu, Hawaii, and the seal of said Court this 5th day of

April 2007

DERRICK H.M. CHAN



Judge of the Circuit Court
First Circuit, State of Hawaii

M. CASTILLO

Clerk, Circuit Court, First Circuit
State of Hawaii